Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 42 (currently amended): A computer program product comprising a computer usable medium or a memory for use in a computer, the medium or memory having computer readable program code embodied therein executable by a portable entertainment machine which comprises a short-range wireless transceiver device capable of transmitting and receiving signals ~~solely~~ to and from the transceiver of another portable entertainment ~~device~~ machine which is within range of the portable entertainment machine, and a manually operable control adapted to permit the user of the entertainment machine to exercise at least some control over the use of the transceiver device: the computer program product comprising code that when loaded into the portable entertainment machine causes the portable entertainment machine to be capable of swapping, by way of the transceiver device, signals that are representative of digital game objects for swapping digital game objects between digital object stores of two or more such entertainment machines.

Claim 43 (previously presented): A computer program product as claimed in claim **42**, comprising code which causes the machine to be capable of displaying a list of the game objects held in the store, and to be capable of displaying a more detailed representation of a digital game object when that object is selected by a user from the list.

2

Claim 44 (currently amended): A computer program product as claimed in claim **42**, comprising code which causes the machine to be adapted to provide to the user information on game objects that become ~~potentially~~ available to be acquired from a similar machine that comes within range of the machine, to enable the user to take a decision on whether or not to proceed with a ~~potential~~ swapping transaction.

Claim 45 (previously presented): A computer program product as claimed in claim **42**, comprising code which causes the machine to be capable of being provided by the user with a standing instruction to swap a certain game object or category of game objects in the game object store for another specified game object or category of game objects if such a required object or object category becomes available for swap, and any conditions imposed on the swap by the user are complied with.

Claim 46 (currently amended): A computer program product as claimed in claim **42**, comprising code which causes the machine to allocate a retained object portion of the digital object store for storing objects for which the machine user has taken a decision to retain ~~at least for the time being~~, or for objects for which the user has not yet taken a decision on whether to retain or swap, and to allocate a selected article window portion of the game store in which game objects can be placed for which the user has taken at least a preliminary decision to dispose of provided that [[an]] ~~acceptable~~ a swap deal can be arranged.

Claim 47 (previously presented): A computer program product as claimed in claim **46**, wherein the product comprises code which causes the machine to operate such that when the user's machine is within range of another similar machine information is transmitted to the other machine to inform the other machine of the content of the selected article window store.

3

<u>Application No.: 09/894,917</u>   <u>Docket No.: 30004783-1</u>

Claim 48 (previously presented): A computer program product as claimed in claim 47, in which the product comprises code which causes a display of the machine to comprise a reciprocal display portion adapted to display the content of the selected article window store of another machine which is within range.

Claim 49 (currently amended): A computer program product as claimed in claim 42, comprising code which causes the machine to issue an alert to the user upon the availability of a ~~potential~~ swap.

Claim 50 (previously presented): A computer program product as claimed in claim 42, comprising code which causes the machine to be capable of transmitting an incomplete digital game object for sampling by the user of another machine.

Claim 51 (previously presented): A computer program product as claimed in claim 42, comprising code which causes the machine to transmit a game object for sampling over a limited length of time to facilitate a decision being made as to whether or not the game object is to be acquired by proceeding with a swap transaction.

Claim 52 (previously presented): A computer program product as claimed in claim 42, in which the game object includes a game program, the program comprising code for configuring the machine whereby the current owner of the game can allow the user of another similar machine within range to sample playing of the game by exercising game control over the wireless connection, the game being run on the machine of the current game owner.

Claim 53 (previously presented): A computer program product as claimed in claim 42, comprising code which configures the manually operable control to enable the user of the machine to

4

select which game objects are transferred from the retention portion of the store to the selected article window portion of the store and vice-versa.

Claim 54 (previously presented): A computer program product as claimed in claim **42**, comprising code which configures the machine to provide a swap proposal indicator for indicating to another, similar machine the swap transaction being proposed.

Claim 55 (previously presented): A computer program product as claimed in claim **54**, in which the swap proposal indicator comprises a linking indicator function adapted to link the representations of the digital game objects held by the two machines in their selected article window stores, and to communicate that link indicator to the other machine.

Claim 56 (previously presented): A computer program product as claimed in claim **55**, comprising code which configures the machine to provide a swap approval indicator which is arranged to respond to transmit a response to the other machine in answer to the output of the linking indicator function of the machine which first suggests a swap proposal.

Claim 57 (previously presented): A computer program product as claimed in claim **42**, comprising code which configures the machine to provide a swap control function arranged to be initiated on acceptance of a proposed swap by a similar such machine.

Claim 58 (previously presented): A computer program product as claimed in claim **57**, comprising code which provides a swap protocol that ensures that the data objects that have been agreed to be swapped are transmitted simultaneously by the two machines.

Claim 59 (previously presented): A computer program product as claimed in claim **42**, comprising code which configures the machine for enabling data objects to be loaded into the

5

machine by purchasing transaction from a data object vendor rather than by a data object swapping transaction.

Claim 60 (currently amended): A portable entertainment machine comprising:

a digital object store adapted to store digital game objects;

a short-range wireless transceiver device capable of respectively transmitting and receiving signals to and from a transceiver of another portable entertainment machine which is within range of the portable entertainment machine , the signals being representative of a digital game object;

a user-activated control;

an output device;

an electronic processor; and

a memory storing a program, the memory program being coupled with the control, the transceiver, the electronic processor, the output device, and the digital object store so that in response to the user responding to the output device and activating the control, the program stored in the memory causes the transceiver to be coupled to be responsive to the store and to the transceiver of another machine so the user of the entertainment machine can, by using the control, exercise at least some control over swapping of digital game objects between the digital object store of said other entertainment machine;

a housing carrying the store, transceiver, processor, output device, control and memory, the housing and the things in it having a weight and size enabling the housing to be held by the user.

Claim 61 (previously presented): A machine as claimed in claim 60, wherein the output device comprises a visual display.

Claim 62 (previously presented): A machine as claimed in claim **61**, wherein the display is adapted to display the entire contents of the digital object store.

Claim 63 (previously presented): A machine as claimed in claim **61**, wherein the display is adapted to display a list of the game objects held in the store and is capable of displaying a more detailed representation of a particular digital game object in response to the user activating the control to select the particular game object from the list.

Claim 64 (previously presented): A machine as claimed in claim **60**, wherein the control includes a voice-activated control.

Claim 65 (previously presented): A machine as claimed in claim **60**, wherein the control includes a hand responsive device.

Claim 66 (previously presented): A machine as claimed in claim **60**, wherein the size of the housing is such that the housing can be put in a clothes pocket of the user.

Claim 67 (currently amended): A machine as claimed in claim **60**, wherein the program stores control steps for causing the processor and digital game object store to supply to the output device user information about game objects that become ~~potentially~~ available to be acquired from the another machine in response to the another machine being within range of the machine, the user information enabling the user of the machine to make a decision on whether or not to proceed with a ~~potential~~ swapping transaction.

Claim 68 (previously presented): A machine as claimed in claim **60**, wherein the program stores control steps for causing the processor, transceiver and digital game object store to respond to and execute an output of the control indicative of a standing instruction to swap a certain game object

7

or category of game objects in the object store for another specified game object or category of game objects in response to the transceiver receiving a signal that such a required object or object category becomes available for swap.

Claim 69 (previously presented): A machine as claimed in claim 68, wherein the standing instructions include conditions imposed on the swap by the user, the program storing steps for causing the processor, transceiver and digital store to execute the standing instructions only in response to the condition being satisfied.

Claim 70 (currently amended): A machine as claimed in claim 60, in which the digital game object store comprises a retained game object portion for storing game objects for which the machine user has taken a decision to retain ~~at least for the time being~~ or for game objects for which the user has not yet taken a decision on whether to retain or swap, and a selected article window portion of the data store where game objects are stored for which the user has taken at least a preliminary decision to dispose of provided that ~~an acceptable~~ a swap deal can be arranged, the program storing control steps for causing the processor and object store to interact in response to the control for causing the retained game object portion to store the game objects for which the machine user has taken a decision to retain ~~at least for the time being~~ and game objects for which the user has not yet taken a decision on whether to retain or swap, and store in the selected article window portion the game objects the user has taken at least a preliminary decision to dispose of provided that ~~an acceptable~~ a swap deal can be arranged.

Claim 71 (previously presented): A machine as claimed in claim 70, wherein the program stores steps for activating the processor, digital object store, and transceiver such that in response to the user's machine being within range of another similar machine information is transmitted via the

8

transceiver to the other machine to inform the other machine of the content of the selected article window store.

Claim 72 (previously presented): A machine as claimed in claim **71**, wherein the output device includes a visual reciprocal display portion, the program storing steps for controlling the reciprocal display portion, processor, and transceiver for causing the reciprocal display portion to display the content of the selected article window store of the another machine.

Claim 73 (currently amended): A machine as claimed in claim **60**, wherein the output device includes an alert device, the program storing steps for controlling the processor, transceiver and alert device for alerting the user to the availability of a ~~potential~~ swap in response to a signal received by the transceiver from the another machine.

Claim 74 (previously presented): A machine as claimed in claim **60**, wherein the program stores steps for controlling the store, processor and transceiver for causing the transceiver to transmit an incomplete digital game object stored in the store for sampling by the user of the another machine.

Claim 75 (previously presented): A machine as claimed in claim **60**, wherein the program stores steps for controlling the store, processor and transceiver for causing the transceiver to transmit a game object for sampling over a limited length of time.

Claim 76 (previously presented): A machine as claimed in claim **60**, wherein the data object includes a game program, and the program stores steps for controlling the store, processor and transceiver for causing (a) the transceiver to transmit a signal indicating the current owner of the game program will allow the user of the another similar machine within range to sample playing of the game by exercising game control via the transceiver of the machine and (b) the game program to be run on

9

the machine of the current game owner in response to signals received by the transceiver of the machine from the transceiver of the another machine.

Claim 77 (previously presented): A machine as claimed in claim 70, wherein the program stores steps for controlling the processor, the retention and the selected article window portions for transferring selected data objects in response to a user activation of the control from the retention portion of the store to the selected article window portion of the store and vice-versa in response to user activation of the control.

Claim 78 (previously presented): A machine as claimed in claim 60, wherein the output machine includes a swap proposal indicator, and wherein the program stores steps for controlling the store, processor and transceiver for causing the transceiver to transmit to another, similar machine a signal indicating the swap transaction being proposed.

Claim 79 (previously presented): A machine as claimed in claim 78, wherein the program stores steps for controlling the processor, the transceiver, and the output device for causing the swap proposal indicator to indicate a linking function for linking the representations of the digital data objects stored by the two machines in their selected article window stores, and to communicate the link indicator to the other machine via the transceiver of the machine.

Claim 80 (previously presented): A machine as claimed in claim 79, wherein the output device includes a swap approval indicator, and wherein the program stores steps for controlling the processor, the transceiver, and the output device for causing the transceiver to transmit a response to the other machine in answer to the output of the linking indicator function of the machine which first suggests a swap proposal.

Claim 81 (previously presented): A machine as claimed in claim 60, wherein the program stores steps for controlling the store, processor and transceiver for causing swap to be initiated in response to acceptance of a proposed swap by the another machine.

Claim 82 (previously presented): A machine as claimed in claim 81, wherein the program stores steps for controlling the store, processor, and transceiver for causing a swap protocol to be used between the machine and the another machine such that the data objects that have been agreed to be swapped are transmitted simultaneously by the transceivers of the two machines.

Claim 83 (previously presented): A machine as claimed in claim 60, further including a game object input, the program storing steps for controlling the store and processor to cause a game object to be loaded into the store of the machine in response to activation of the game object input, the program further storing steps for controlling the game object input in response to a purchasing transaction communicated from the machine to a game object vendor.

Claim 84 (previously presented): A machine as claimed in claim 83, in which the game object input comprises a reader adapted to read a physical storage medium, the program storing steps for causing the reader to load purchased game objects into the machine store.

Claim 85 (previously presented): A machine as claimed in claim 84, wherein the program includes steps for disabling the storage medium following reading of the medium.

Claim 86 (previously presented): A machine as claimed in claim 83, wherein the program includes steps for controlling the processor, transceiver and store for causing the game object to be supplied to the store from the vendor via the transceiver.

Claim 87 (previously presented): A machine as claimed in claim 86, wherein the transceiver is included in a cellular telephone device.

Claim 88 (previously presented): A machine as claimed in claim 60, wherein the digital data object includes a game program, the program in the memory including steps for controlling the game program and the processor for causing the game program to be run on the entertainment machine so the user can play the game on the game program.

Claim 89 (previously presented): A machine as claimed in claim 88, wherein the game program of the digital data object involves an additional player or players, the program in the memory including steps for controlling the game program, the processor, the output device and the transceiver so the additional player or players can communicate, via the transceiver, with the said entertainment machine on which the game is run, the communication being in such a manner that the additional player or players cannot gain access to a copy of the game program stored in the store through playing the game.

Claim 90 (previously presented): A machine as claimed in claim 88, wherein the digital data object comprises a game feature for assisting a player to play a game.

Claim 91 (previously presented): A machine as claimed in claim 61, wherein the processor and program enable the machine to be operable as a mobile telephone, said display being used to display telephone functions of the telephone.

Claim 92 (previously presented): A machine as claimed in claim 60, wherein the digital game object includes an enhancement to the functionality of the machine.

12

Claim 93 (previously presented): A machine as claimed in claim **91**, wherein the digital object store stores a ring tone.

Claim 94 (previously presented): Apparatus to enable a plurality of players to swap digital objects, the apparatus comprising a short-range wireless network, the network including a plurality of portable entertainment machines as claimed in claim **60**, each of the machines being adapted to be carried by a different user.

Claim 95 (previously presented): A machine as claimed in claim **61**, wherein the store stores information enabling the game objects to be stored in the form of a decorative virtual card or token, the program steps for controlling the store, processor and display including steps for causing the display to display the game object in the form of the decorative virtual card or token.

Claim 96 (previously presented): A machine as claimed in claim **61**, wherein the store stores information enabling the game objects to be stored in the form of a moving image, the program steps for controlling the store, processor and display including steps for causing the display to display the game object in the form of the moving image.

Claim 97 (previously presented): A machine as claimed in claim **61**, wherein the store stores information enabling the game objects to be stored in the form of a moving image and associated textual information, the program steps for controlling the store, processor and display including steps for causing the display to display the game object in the form of the moving image and associated textual information.

13

Claim 98 (previously presented): A machine as claimed in claim 61, wherein the store stores information enabling the game objects to be stored in the form of a moving image and associated audio information, the program steps for controlling the store, processor, and display including steps for causing the display game to display the game object in the form of the moving image and associated audio information.

Claim 99 (currently amended): A method of swapping digital game objects between first and second user-operated portable entertainment machines, each of the machines including a digital object store that stores digital game objects and a short-range wireless transceiver <u>capable of transmitting and receiving signals to and from the transceiver of the second portable entertainment machine which is within range of the first portable entertainment machine</u>, the method comprising:

transmitting, from the transceiver of the first machine to the transceiver of the second machine, a first signal representing a first digital game object stored in the store of the first machine;

receiving the first signal at the transceiver of the second machine;

responding to the first signal, as received by the transceiver of the second machine, by deriving at the second machine a first indication of the first game object;

responding to the first indication by making a decision at the second machine as to whether a swap is desired between a second digital game object stored in the store of the second machine and the first game object;

in response to the decision being yes, transmitting from the transceiver of the second machine to the transceiver of the first machine a second signal representing a second digital game object stored in the store of the second machine;

receiving the second signal at the transceiver of the first machine;

14

responding to the second signal, as received by the transceiver of the first machine, by deriving at the first machine a second indication of the second game object;

responding to the second indication by making a decision at the first machine as to whether a swap is desired between the first and second game objects;

in response to the decision at the first machine being yes, removing the first game object from the store of the first machine and transmitting a third signal from the transceiver of the first machine to the transceiver of the second machine and removing the second game object from the store of the second machine and transmitting a fourth signal from the transceiver of the second machine to the transceiver of the first machine, the third and fourth signals respectively indicating a transfer of the first game object from the first machine to the second machine and a transfer of the second game object from the second machine to the first machine;

responding, at the first machine, to receipt of the fourth signal by loading an indication of the second game object into the store of the first machine; and

responding, at the second machine, to receipt of the fourth signal by loading an indication of the first game object into the store of the second machine.

15